

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DAYBREAK YOUTH SERVICES,
individually and on behalf of its former and
current patients,

Plaintiff,

v.

CHUCK ATKINS, in his official capacity as
Clark County Sheriff, MIKE COOKE, in his
official capacity as Clark County
Undersheriff, and CHRISTOPHER LUQUE,
in his official capacity as Clark County
Sheriff's Office Sergeant, ADAM BECK, in
his official capacity as Clark County Sheriff's
Office Detective, and BRENT WADDELL, in
his official capacity as Clark County Sheriff's
Office Sergeant,

Defendants.

NO. 3:19-cv-05521 BHS

**SUPPLEMENTAL DECLARATION
OF THOMAS RUSSELL IN SUPPORT
OF PLAINTIFF'S EMERGENCY
MOTION FOR TEMPORARY
RESTRAINING ORDER**

I, THOMAS RUSSELL, hereby declare as follows:

1. My name is Thomas Russell. I am over the age of 18 and am otherwise
competent to be a witness in this proceeding. I make this declaration based upon my personal
knowledge except as otherwise set forth herein. I am currently the Chief Executive Officer for
Daybreak Youth Services. I make this supplemental declaration in support of Plaintiff

Daybreak Youth Services' Motion for Temporary Restraining Order.

2. Daybreak Youth Service holds itself out to the public as providing—and in fact does provide—alcohol and drug treatment to support recovery for teens with addiction. Every patient at the Brush Prairie facility has a Substance Use Disorder.

3. Daybreak Youth Services specializes in serving youth with a dual diagnosis, who require not only SUD treatment, but also mental health care. These youth face addiction and co-occurring mental illness.

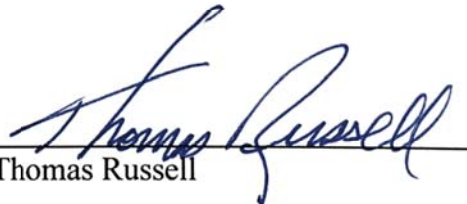
4. Attached as **Exhibit C** is a true and correct screen shot of the Daybreak Youth Services website's home page, as of the date of this filing.

5. Attached as **Exhibit D** are true and correct copies of Daybreak payroll records for former employees Jennifer Walker and Cathan Tautfest, showing that the two former employees were terminated on June 21, 2018.

6. Attached as **Exhibit E** are true and correct copies of Separation of Employment forms maintained in Daybreak's personnel files for Ms. Walker and Mx. Tautfest, who uses gender-neutral pronouns. These personnel records showing that neither voluntarily resigned. Rather, both were terminated and were ineligible for re-hire, Ms. Walker because attendance issues made her unreliable, and Mx. Tautfest for policy violation. (Note that the forms mistakenly list the year of termination as 2017, likely a typo carried over from the date of Mx. Tautfest's hire on June 21, 2017. Mx. Tautfest was a Daybreak employee for exactly one year.)

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

DATED this 18th day of June, 2019.


Thomas Russell

CERTIFICATE OF SERVICE

I hereby certify that on June 18, 2019, I caused to be electronically filed the foregoing Supplemental Declaration of Thomas Russell In Support of Plaintiff's Emergency Motion for Temporary Restraining Order with the Clerk of the Court using the CM/ECF system which causes parties who are registered ECF participants to be served by electronic means.

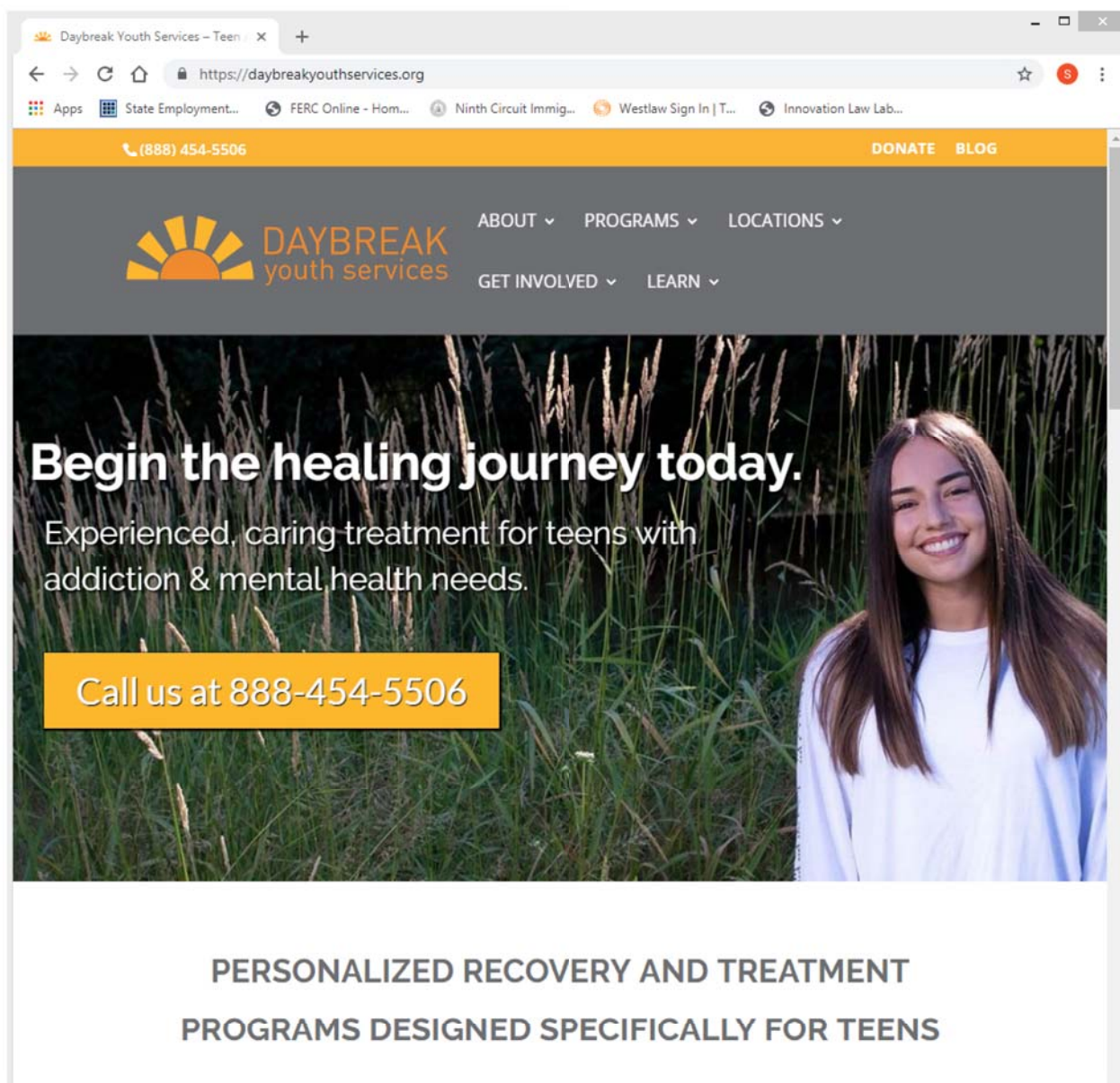
Dated this 18th day of June, 2019, at Seattle, Washington.

GARVEY SCHUBERT BARER

By s/David H. Smith
David H. Smith

GSB:10352962.1

EXHIBIT C




The image is a screenshot of a web browser displaying the Daybreak Youth Services website. The browser's address bar shows the URL <https://daybreakyouthservices.org>. The website's header features a navigation menu with links for [DONATE](#) and [BLOG](#), and a secondary menu with [ABOUT](#), [PROGRAMS](#), [LOCATIONS](#), [GET INVOLVED](#), and [LEARN](#). The main banner area has a background image of a smiling young woman in a field of tall grass. The text on the banner reads: "Begin the healing journey today. Experienced, caring treatment for teens with addiction & mental health needs." Below this text is a yellow button with the text "Call us at 888-454-5506". At the bottom of the banner, the text "PERSONALIZED RECOVERY AND TREATMENT PROGRAMS DESIGNED SPECIFICALLY FOR TEENS" is displayed in all caps.

Daybreak Youth Services – Teen x

https://daybreakyouthservices.org

Apps State Employment... FERC Online - Hom... Ninth Circuit Immig... Westlaw Sign In | T... Innovation Law Lab...

(888) 454-5506 DONATE BLOG

 **DAYBREAK**
youth services

ABOUT ▾ PROGRAMS ▾ LOCATIONS ▾
GET INVOLVED ▾ LEARN ▾

Begin the healing journey today.

Experienced, caring treatment for teens with
addiction & mental health needs.

Call us at 888-454-5506

**PERSONALIZED RECOVERY AND TREATMENT
PROGRAMS DESIGNED SPECIFICALLY FOR TEENS**

EXHIBIT D



Employee Information

Employee Information

Name Jennifer Walker
Username JWalker
Address [REDACTED]
Hired 09/06/2017
Started 09/06/2017
Terminated 06/21/2018

Managers

Manager 1 Christopher A. Young

Accruals

EIB (Accrued to: 01/01/2019)

Accrd	Taken	Balance	Sch	Pnd Apr	Proj Acc	Proj Bal
0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00

Accrue Rate: 0/Daily

Sick (Accrued to: 07/01/2018)

Accrd	Taken	Balance	Sch	Pnd Apr	Proj Acc	Proj Bal
8.58	0.00	8.58	0.00	0.00	8.58	8.58
1.07	0.00	1.07	0.00	0.00	1.07	1.07

Accrue Rate: 0.025 Hrs/Pay Period

Vacation (Accrued to: 07/01/2018)

Accrd	Taken	Balance	Sch	Pnd Apr	Proj Acc	Proj Bal
33.41	33.41	0.00	0.00	0.00	33.41	0.00
4.18	4.18	0.00	0.00	0.00	4.18	0.00

Accrue Rate: 0.0595 Hrs/Pay Period

Deductions

Begin Date	End Date		\$	%	Last PR	YTD
Vision - Pre Tax						
11/03/2017		EE	[REDACTED]	-	-	-
		ER	[REDACTED]	-	-	-
Life Insurance						
11/03/2017		EE	[REDACTED]	-	-	-
		ER	[REDACTED]	-	-	-

Tax Allowance Settings

Unemployment State	From Date	To Date
Washington	12/31/1900	12/31/9999

Federal: Single/1

Direct Deposits

Begin Date	End Date	Type	ABA#	Account#
12/31/1900		Direct Deposit	[REDACTED]	[REDACTED]
Entire/Remainder				

Credentials

Document #	Active	Issued	Expires
Auto Policy			
Auto Insurance 2017	Y	07/23/2017	07/23/2018

Background Checks

-- More --

Credentials - Continued

Background check	Y	09/06/2020
CAAR		
CG60158512	Y	01/27/2019
CPI Training		
2017	Y	09/01/2020
Driver's License		
Driver's License	Y	01/22/2021
TB		
TB Test 2017	Y	11/01/2018



Employee Information

Employee Information

Name Cathan Tautfest
Username CTautfest
Address [REDACTED]
Hired 06/21/2017
Started 06/23/2017
Terminated 06/21/2018

Managers

Manager 1 Angela R. Ball

Accruals

EIB (Accrued to: 01/01/2019)

Accrd	Taken	Balance	Sch	Pnd Apr	Proj Acc	Proj Bal
8.50	0.00	8.50	0.00	0.00	8.50	8.50
1.06	0.00	1.06	0.00	0.00	1.06	1.06

Accrue Rate: 0/Daily

Sick (Accrued to: 07/01/2018)

Accrd	Taken	Balance	Sch	Pnd Apr	Proj Acc	Proj Bal
21.35	10.00	11.35	0.00	0.00	41.42	31.42
2.67	1.25	1.42	0.00	0.00	5.18	3.93

Accrue Rate: 0.025 Hrs/Pay Period

Vacation (Accrued to: 07/01/2018)

Accrd	Taken	Balance	Sch	Pnd Apr	Proj Acc	Proj Bal
88.52	73.00	15.52	0.00	0.00	88.52	15.52
11.06	9.12	1.94	0.00	0.00	11.06	1.94

Accrue Rate: 0.0595 Hrs/Pay Period

Tax Allowance Settings

Unemployment State	From Date	To Date
Washington	12/31/1900	12/31/9999

Federal: Single/1

Direct Deposits

Begin Date	End Date	Type	ABA#	Account#
12/31/1900		Direct Deposit	[REDACTED]	[REDACTED]
Entire/Remainder				

Credentials

Document #	Active	Issued	Expires
Auto Policy			
Auto Policy	Y	08/12/2017	02/12/2018
Background Checks			
Background Check Watch	Y		06/21/2020
Blood Borne Pathogen			
BBP	Y		07/01/2018
CAAR			
CG 60779152	Y		01/25/2019
CPI Training			
2017	Y		09/01/2019
Driver's License			
Driver's License	Y		01/25/2023
-- More --			

Credentials - Continued

Food Handlers		
Food Handlers	Y	03/26/2018
TB		
TB Test	Y	07/01/2018

EXHIBIT E



SEPARATION OF EMPLOYMENT

Personnel Action Notice

Employee Name:	Jennifer Walker	Date of Notice:	6/20/2017
Job Title:	Skills Coach	Department:	Vancouver Inpatient
Hire Date:	9/6/2017	Termination Date:	6/20/2017
		Benefit Termination Date:	6/20/2017 COBRA Notice <input checked="" type="checkbox"/>
Reason for Separation:	<input type="checkbox"/> Voluntary Resignation with Notice <input type="checkbox"/> Letter Received <input type="checkbox"/> Voluntary Resignation without Notice <input type="checkbox"/> Layoff <input checked="" type="checkbox"/> Termination:		<input type="checkbox"/> Eligible for Re-Hire <input checked="" type="checkbox"/> Ineligible for Re-Hire Comments:
Forwarding Address:			
Additional Forwarding Contact Information:			
Final Payroll Instructions:			

Approval

*Please complete electronically and send to Associated Industries. Request will not be processed unless signatures are present.
NOTE: Digital signatures are sufficient.*

Supervisor Signature:		Date:	
CEO Signature:			
Associated Industries Signature:		Date:	

Comments:

Attendance issues/Unreliable



SEPARATION OF EMPLOYMENT

Personnel Action Notice

Employee Name:	Cathan Tautfest	Date of Notice:	6/20/2017
Job Title:	Skills Coach	Department:	Vancouver Inpatient
Hire Date:	06/21/2017	Termination Date:	6/21/2017
		Benefit Termination Date:	6/21/2017 COBRA Notice <input checked="" type="checkbox"/>
Reason for Separation:	<input type="checkbox"/> Voluntary Resignation with Notice <input type="checkbox"/> Letter Received <input type="checkbox"/> Voluntary Resignation without Notice <input type="checkbox"/> Layoff <input checked="" type="checkbox"/> Termination:		<input type="checkbox"/> Eligible for Re-Hire <input checked="" type="checkbox"/> Ineligible for Re-Hire Comments:
Forwarding Address:			
Additional Forwarding Contact Information:			
Final Payroll Instructions:			

Approval

*Please complete electronically and send to Associated Industries. Request will not be processed unless signatures are present.
NOTE: Digital signatures are sufficient.*

Supervisor Signature:		Date:	
CEO Signature:			
Associated Industries Signature:		Date:	

Comments:

Policy Violation